United States Senate

September 27, 2023

Mr. Mark Zuckerberg
Chairman and Chief Executive Officer
Meta
1 Hacker Way
Menlo Park, CA 94025

Dear Mr. Zuckerberg:

I write with serious concerns about Meta's reported plan to integrate new artificial intelligence (AI) chatbots into its social media products to attract and retain younger users.[1] These chatbots could create new privacy harms and exacerbate those already prevalent on your platforms, including invasive data collection, algorithmic discrimination, and manipulative advertisements. I strongly urge you to pause the release of any AI chatbots until Meta understands the effect that such products will have on young users. This effort cannot become yet another example of Meta rushing out a product prematurely, without considering the consequences for young people online.

Although artificial intelligence has recently attracted significant attention in Washington, AI-powered algorithms — and their risks — are nothing new. For years, Meta and other social media platforms have employed algorithms to collect vast amounts of user data, build precise user profiles, and target users with advertising. These black box algorithms have caused serious harms — from collecting and storing detailed personal information to facilitating housing discrimination against communities of color.[2] These harms have been particularly severe for younger users, whom Meta has fiercely tried to attract as other platforms have challenged its market dominance. For example, when Facebook released its Messenger Kids app — a service for kids between the ages of 6 and 12 — it allowed children to circumvent protections designed to prevent them from talking to strangers, a serious flaw.[3] In the race to release new AI products,

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[1] Salvador Rodriguez et al., *Meta to Push for Younger Users with New AI Chatbot Characters*, Wall St. J. (Sept. 24, 2023) https://www.wsj.com/tech/ai/meta-ai-chatbot-younger-users-dab6cb32.

[2] Julia Angwin and Terry Parris Jr., *Facebook Lets Advertisers Exclude Users by Race*, ProPublica (Oct. 28, 2016), https://www.propublica.org/article/facebook-lets-advertisers-exclude-users-by-race.

[3] Russell Brandom, *Facebook design flaw let thousands of kids join chats with unauthorized users*, The Verge (July 22, 2019), https://www.theverge.com/2019/7/22/20706250/facebook-messenger-kids-bug-chat-app-unauthorized-adults.

companies — including Meta —risk repeating the same mistakes that caused such immense harms over the past decade, especially to younger users.

AI-powered chatbots are a perfect example of these risks. Although these chatbots can have beneficial uses, they also threaten to exacerbate the harms algorithms cause. For example, research has shown that targeted advertising is particularly manipulative for children and teens, who may lack the cognitive skills to understand why they are receiving an ad.[4] Advertising may also blend seamlessly into content on the platform, potentially misleading users. In fact, earlier this month, the Federal Trade Commission issued a staff report outlining how advertising that is embedded into content — so-called blurred advertising — can confuse users.[5] Generative AI chatbots — which participate in dynamic, human-like conversations with users — threaten to significantly magnify such confusion, as young users may not realize that a chatbot's response is actually advertising for a product or service. Generative AI also has the potential to adapt and target advertising to an "audience of one," making ads even more difficult for young users to identify. These AI chatbots could also increase social media platforms' addictive features. By creating the appearance of chatting with a real person, chatbots may significantly expand users' — especially younger users' — time on the platform, allowing the platform to collect more of their personal information and profit from advertising. With chatbots threatening to supercharge these problematic practices, Big Tech companies, such as Meta, should abandon this "move fast and break things" ethos and proceed with the utmost caution.

Unfortunately, Meta appears to be — once again — rushing out a new product without significant safeguards. The *Wall Street Journal* recently reported that Meta plans to develop and release dozens of chatbots to attract younger users, including some with "sassy" personalities that, according to one Meta employee, are "resonating with young people."[6] These "Gen AI Personas" — as Meta refers to them — raise significant questions about how Meta will protect younger users from excessive data collection, algorithmic discrimination, and blurred advertising with respect to these products. Furthermore, Meta has a responsibility to uphold the commitments it made on AI safety to the White House in July 2023, including to prioritize research on avoiding harmful bias and discrimination and "publicly reporting [its] AI systems' capabilities, limitations, and areas of appropriate and inappropriate use."[7] Such transparency is particularly important when products and services are being targeted towards younger users. Given Meta's past treatment of young people online, I strongly urge Meta to pause the release of

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[4] Matthew Lapierre et al., *The Effect of Advertising on Children and Adolescents*, Pediatrics (2017), 140 (2) S152-S156; doi:10.1542/peds.2016-1758V; Laura Owen et al., *Is Children's Understanding of Non–Traditional Advertising Comparable to their Understanding of Television Advertising?*, Journal of Public Policy Mark (2021), 32(2):195–206 doi.org/10.1509/jppm.09.003.

[5] Samuel Levine, *Protecting Kids from Stealth Advertising in Digital Media*, Federal Trade Commission (Sept. 2023), https://www.ftc.gov/system/files/ftc_gov/pdf/p214505kidsadvertisingstaffperspective092023.pdf

[6] Rodriguez et al, *supra* note 1.

[7] *FACT SHEET: Biden-Harris Administration Secures Voluntary Commitments from Leading Artificial Intelligence Companies to Manage the Risks Posed by AI,* The White House (July 21, 2023), https://www.whitehouse.gov/briefing-room/statements-releases/2023/07/21/fact-sheet-biden-harris-administration-secures-voluntary-commitments-from-leading-artificial-intelligence-companies-to-manage-the-risks-posed-by-ai/

any chatbots until it has a better understanding of the impact that these AI-powered systems can have on younger users.

To better understand Meta's plans and policies around these chatbots for younger users, I request that you answer the following questions in writing by October 18, 2023.

1. Please describe Meta's plans for introducing chatbots into its services, including any efforts to encourage younger users to use the chatbots.

2. Please describe Meta's plans to collect data from users of its chatbots and how this data will be used.

   a. Will Meta commit to not using the data to target advertisements to young users? If not, why not?

   b. Will Meta commit to not using the data collected from young users to train its chatbots? If not, why not?

3. Does Meta intend to include advertising in its chatbots? If so, how will Meta ensure that those advertisements are clearly identified and do not confuse users, especially younger users? Will Meta commit to not including targeted advertising in these chatbots? If not, why not?

4. Has Meta tested its chatbots to ensure they do not discriminate against users based on protected characteristics, including race, nationality, sex, sexual orientation, and gender identity? If so, please identify the testing that Meta has performed.

5. Has Meta conducted any research on the potential social and emotional impact of chatbots on younger users? If so, please include that research in your response. If not, why not? Has Meta consulted with experts and parents on the impact of chatbots on young users? If so, please describe those conversations. If not, why not?

6. How will Meta ensure that it complies with the commitments it made to the White House on AI safety in July 2023? For example, will Meta commit to publicly reporting its AI-powered chatbots' capabilities, limitations, and areas of inappropriate use and to prioritize research on potential discrimination and bias in its chatbots?

Thank you for your prompt attention to this issue.

Sincerely,

Edward J. Markey
United States Senator